

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JASON NISSEN,

Defendant.

17 Cr. 477 (PAE)

ORDER


PAUL A. ENGELMAYER, District Judge:

On November 27, 2020, Credit Cash NJ, LLC (“Credit Cash”) and Entrepreneur Growth Capital LLC (“EGC”) asked the Court to issue an interlocutory order authorizing the sale of one particular substitute asset of Jason Nissen’s: his ownership interest in the real property located at 82 Woodhollow Road, Roslyn Heights, NY 11557 (the “Property”). Dkt. 117. On December 18, 2020, Haydee Nissen responded, opposing the sale. Dkt. 121. She asserted that sale was improper because, *inter alia*, she was a co-owner with Nissen of his interest in the Property, a “tenant by the entirety,” and an innocent owner” within the meaning of 18 U.S.C. § 983(d). *Id.* at 2.

The Court would benefit from a short memorandum from the Government, as the entity to which Nissen’s interest in the Property has been forfeited, setting its views as to (1) Haydee Nissen’s defenses to forfeiture that she is an “innocent owner” and a “tenant by the entirety” with respect the Property; (2) whether Ms. Nissen’s co-ownership with Nissen of his interest in the Property, as a matter of law, prevents the Court from ordering its sale to preserve its value; and (3) the pending application by Credit Cash and EGC for authorization to sell the Property.

The Court requests that such a memo be filed by Friday, January 15, 2021. The Court does not invite further briefing.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: January 11, 2021
New York, New York